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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/856,169	06/04/2001	Nicolas Odille	209111US2XPC	9479

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EXAMINER

LOUIE, WAI SING

ART UNIT

PAPER NUMBER

2814

DATE MAILED: 08/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/856,169

Applicant(s)

ODILLE ET AL.

Examiner

Wai-Sing Louie

Art Unit

2814

-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-24 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 13-24 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6. 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 23 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- In claim 23, line 2, do not understand what is "a mass of adhesive substance". The adhesive element claimed is a double-sided adhesive film. How could a "mass" forming a double-sided film?

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 13-18, 21, and 23 (in so far as they are understood) are rejected under 35 U.S.C. 103(a) as being unpatentable over Ota (US 6,016,134) in view of Suzuki et al. (US 5,029,985).

With regard to claims 13-14, Ota discloses a light crystal display device (col. 2, line 53 to col. 5, line 60 and fig. 4) comprising:

- A first and second transparent plate 51, joined together and between which is contained light crystal (fig. 4), the first plate being mechanically reinforced by an at least partially transparent third plate 1, where the first and third plates are secured together by way of one sandwich-type assembly made of two adhesive films 10 and 11 separated a layer 4 of a different material (col. 4, lines 64-67), but Ota does not disclose the adhesive element is a double-sided adhesive film. However, double-sided adhesive tape is well known in the art to joint two layers together such as disclosed in Suzuki et al. (Suzuki col. 1, lines 11-20). Therefore, it would have been obvious to provide a double-sided adhesive film in Ota's device to joint first and third layers together.

With regard to claims 15-16, Ota discloses two double-sided adhesive films 10 and 11 have identical thickness (fig. 4). However, since the criticality has not been established, the two double-sided adhesive films 10 and 11 could have different thickness.

With regard to claim 17, Ota discloses the spacer 4 is made of ABS resin to prevent the shrinkage of the double-sided adhesive films over times (col. 5, lines 1-14). Therefore, the spacer 4 has a firmer structure than the double-sided adhesive films 10 and 11.

With regard to claims 18 and 21, Ota discloses the adhesive element is laid out between the first and third plates around an image zone and filled the peripheral surface of first plate 51 (col. 4, lines 35-39 and fig. 4).

With regard to claim 23, Ota, modified by Suzuki et al. in claim 13 above would disclose, the double-sided adhesive film. Ota further define the type of adhesive is without base material

for raising the adhesive strength (col. 1, lines 48-52). Therefore, it must be a solid mass of adhesive material applied to the surface of the first plate 50 (fig. 2).

Claims 19-20 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ota (US 6,016,134) modified by Suzuki et al. (US 5,029,985) as applied to claim 13 above, and further in view of Funada et al. (US 4,610,510).

With regard to claims 19-20 and 22, Ota discloses the spacer 4 is made of ABS resin (col. 5, lines 13-14), but does not disclose the spacer is made of glass fiber. However, glass fiber is a well-known material such as disclosed by Funada et al. (Funada col. 3, lines 49-53). Therefore, it would have been obvious to provide a spacer made of glass fiber in Ota's device. The spacers in Funada's device are located in the image zone. Thus, it would have been obvious the spacer is opaque or transparent to light.

Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ota (US 6,016,134) modified by Suzuki et al. (US 5,029,985) as applied to claim 13 above, and further in view of Tuma et al. (US 6,146,446).

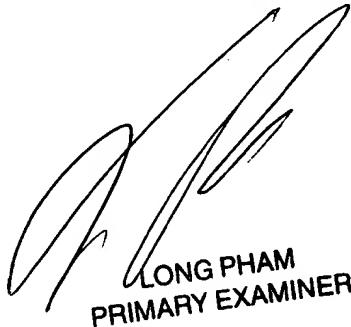
With regard to claim 24, Ota does not disclose not disclose the double-sided adhesive film comprises a support film with adhesive substance coated on both side. However, it is well known in the art for double-sided tape to have a support film with adhesive substance coated on both side, such as disclosed in Tuma et al. (Tuma col. 6, lines 63-65). therefore, it would have been obvious to have a double-sided adhesive film comprises a support film with adhesive substance coated on both side used in Ota's device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wai-Sing Louie whose telephone number is (703) 305-0474. The examiner can normally be reached on 7:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wael Fahmy can be reached on (703) 308-4918. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

wsl
July 18, 2003



LONG PHAM
PRIMARY EXAMINER